

Kim A. CABELLO

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Type Name

Spectrophotometer For High Throughput Fluorescence Detection and Fluorescence Polarization."

2. On March 8, 2002, I caused a replacement set of application documents including specification, claims and drawings, as well as a Combined Declaration and Power of Attorney and Assignment to be sent to Gene Gould at his last known address in Carlsbad, California by Federal Express (Tracking No. 7903 3734 0185) (copy of Federal Express Airbill attached to Petition as Exhibit C). Included with these documents was a prepaid Federal Express Label addressed to the undersigned, Applicant's attorneys.

3. A copy of the March 8, 2002 letter to Dr. Gould is attached as Exhibit B to the Petition submitted herewith.

4. The Federal Express package was returned to sender on March 13, 2002, with a notation made by the Federal Express delivery driver that "recipient not at this address."

5. Dr. Gould is no longer employed at Chromagen; Dr. Gould left no forwarding address information, and his current whereabouts are unknown. Attempts by Chromagen personnel to contact Dr. Gould have been unsuccessful.

6. Despite our efforts to have Dr. Gould execute the documents for this application, including the Combined Declaration and Power of Attorney, we have been unable to obtain his signature.

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false

statements, and the like, so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements made jeopardize the validity of the application or any patents issued thereon.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 15<sup>th</sup> day of April, 2002.

Victor J. Castellucci Reg. No. 43,535  
Victor J. Castellucci